

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

IN RE FIRSTENERGY CORP. SECURITIES  
LITIGATION,

This document relates to:

ALL ACTIONS.

Case No. 2:20-cv-03785-ALM-KAJ

Chief Judge Algenon L. Marbley

Magistrate Judge Kimberly A. Jolson

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**MOTION FOR EXTENSION OF TIME  
TO FILE ANSWERS TO COMPLAINT UNTIL APRIL 6, 2022**

Defendants hereby respectfully request that this Court grant them a modest extension of time—16 days, until April 6, 2022—to answer the Consolidated Complaint for Violations of the Federal Securities Laws (the “Complaint”), in light of the fact that the Complaint spans 113 pages and contains 322 paragraphs. (*See* Doc. #72.)

As noted below, Plaintiffs’ own proposed case schedule reflects an answer date of April 6, 2022. However, when Defendants met and conferred with Plaintiffs regarding a motion to memorialize that agreement, Plaintiffs declined to agree to a joint stipulation. They also refused to allow Defendants to file this as an unopposed motion. As purported justification for this refusal, Plaintiffs stated that they “are opposed to the pre-trial dates being entered in piecemeal fashion.” (Ex. A at 1.)

\* \* \*

On March 7, 2022, this Court entered an order granting in part and denying in part the Defendants’ motions to dismiss the Complaint. The next day, on March 8, 2022, counsel for FirstEnergy Corp. and several of the individual defendants requested an extension of time for all Defendants to file answers to the Complaint, in light of its length. Plaintiffs responded that they

wished to discuss the requested extension during a meet and confer regarding the pretrial schedule and proposed a call for the following week, on March 14, 2022.

Counsel for FirstEnergy and several of the individual defendants participated in that call on March 14, after which Plaintiffs sent a proposed schedule that included an answer deadline of March 28, 2022, among other pretrial dates. (*See* Ex. A at 3.) On March 16, 2022, Defendants sent a revised proposed schedule that included an answer deadline of April 11, 2022, among other pretrial dates. (*See id.* at 3-4.)

On the evening of March 17, 2022, Plaintiffs sent a further revised proposed schedule that included an answer deadline of April 6, 2022, among other pretrial dates. (*Id.* at 3.) On March 20, 2022, Defendants sent to Plaintiffs a draft joint stipulation reflecting an answer date of April 6, 2022, and noted that they expected to respond to Plaintiffs' other dates soon. (*See id.* at 2-3.)

On March 21, 2022, Plaintiffs expressed their preference for not having a pretrial schedule entered in "piecemeal fashion." (*Id.* at 2.) Defendants explained that, due to the large number of defendants—approximately 40 individuals and entities—it was not likely feasible to finalize the entire pretrial schedule on March 21, 2022, though the parties had made progress on the schedule, which is not due until March 28, 2022 pursuant to this Court's order, Doc. #142. (Ex. A at 2; *see also id.* at 1.) Given the parties' agreement as to the answer date (April 6), Defendants stated their desire to file with the Court a joint stipulation or an unopposed motion to reflect that agreement. (*Id.* at 2.)

In response, Plaintiffs stated: "Plaintiffs will not agree to the stipulation or to the filing of the motion as unopposed. You can note that we have met and conferred and Plaintiffs are opposed to the pre-trial dates being entered in piecemeal fashion." (*Id.* at 1.)

That response necessitated this motion, whereby Defendants ask for a modest extension of time—16 days, until April 6, 2022—to answer the 113-page-long Complaint and its 322 paragraphs of allegations. *See* Fed. R. Civ. P. 12(a)(4)(A). With this motion, Defendants seek only the same extension of time as to which the parties had agreed in their ongoing case scheduling discussions.

Accordingly, Defendants respectfully request that the Court grant them an extension of time, until **April 6, 2022**, to file their answers to the Complaint.

Dated: March 21, 2022

Respectfully submitted,

s/ Geoffrey J. Ritts

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**CERTIFICATE OF SERVICE**

I hereby certify that on March 21, 2022, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will notify all counsel of record.

s/ Geoffrey J. Ritts

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